

CONFERENCE ON DISARMAMENT

CD/967

14 February 1990

Original: ENGLISH

LETTER DATED 12 FEBRUARY 1990 FROM THE PERMANENT REPRESENTATIVE OF NIGERIA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A PROPOSED AGREEMENT ON THE PROHIBITION OF THE USE OR THREAT OF USE OF NUCLEAR WEAPONS AGAINST NON-NUCLEAR-WEAPON STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit herewith the text of the Agreement on the Prohibition of the Use or Threat of Use of Nuclear Weapons Against Non-Nuclear-Weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, proposed by the Government of the Federal Republic of Nigeria and addressed to the Depositary Governments of the Treaty on the Non-Proliferation of Nuclear Weapons, by the Honourable Minister of External Affairs of Nigeria, on 2 November 1989.

I should be grateful if you would arrange for the circulation of the text of this Agreement as an official document of the Conference on Disarmament.

(Signed) E.A. Azikiwe
Permanent Representative

AGREEMENT ON THE PROHIBITION OF THE USE OR THREAT OF USE
OF NUCLEAR WEAPONS AGAINST NON-NUCLEAR-WEAPON STATES
PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF
NUCLEAR WEAPONS

The States Parties to this Agreement,

Being also parties to the Treaty on the Non-Proliferation of Nuclear Weapons opened for signature at London, Moscow and Washington on 1 July 1968 (hereinafter called "the Treaty"), have hereby accepted the following provisions:

Article I

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which does not belong to a military alliance and does not have other security arrangements providing for mutual defence with a nuclear-weapon State.

Article II

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which belongs to a military alliance, or have other security arrangements providing for mutual defence, with a nuclear-weapon State but has no nuclear weapons stationed on its territory. The non-nuclear-weapon State Party to the Treaty referred to in this Article undertakes not to partake in, or contribute to, any military attack on any nuclear-weapon State Party to this Agreement, or its allies, Parties to the Treaty, except in self-defence, in accordance with the Charter of the United Nations.

Article III

1. This Agreement shall be signed and shall be subject to ratification, or may be acceded to, as if the provisions of Article IX of the Treaty applied hereto.
2. This Agreement shall enter into force in respect of each State on the date of deposit of the instrument of ratification or accession of the State concerned.
3. The duration of this Agreement shall be the same as that of the Treaty and the provision regarding denunciation contained in Article X, paragraph 1, of the Treaty shall be applicable to it.

Article IV

This Agreement, the English, Russian, French and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary

Governments. Duly certified copies of this Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness WHEREOF the undersigned plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Agreement on behalf of their respective Governments.

Done in triplicate, at the cities of London, Moscow and Washington, the day of, one thousand nine hundred and
